

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALVIN JAMISON and
RICHARD JOHNSTON,

Plaintiffs,

v.

Case No. 18-10617
Honorable Victoria A. Roberts

CATHERINE L. WOLFE,

Defendant.

**ORDER TRANSFERRING CASE TO
THE WESTERN DISTRICT OF MICHIGAN**

On February 21, 2018, Plaintiffs Alvin Jamison and Richard Johnston, prisoners in the custody of the Nevada Department of Corrections, filed a complaint alleging that Defendant Catherine L. Wolfe committed malpractice while representing them in a property dispute lawsuit in Benzie County Circuit Court.

Venue is proper in the district in which any defendant resides or in which a substantial part of the events giving rise to the claim occurred. 28 U.S.C. § 1331(b).

Under either consideration, proper venue lies in the Western District of Michigan. Wolfe resides in Benzie County, Michigan, and Benzie County is where the events giving rise to the claim occurred. Specifically, the state court case in which Wolfe represented Plaintiffs took place in the 19th Circuit Court for Benzie County, and the underlying property that was the subject of the state court case is located in Benzie County. Benzie County is located within the geographical boundaries of the United States District Court for the Western District of Michigan. 28 U.S.C. § 1332(b).

Finding that venue is improper in this District, the Court has discretion to “transfer [the] case to any district or division in which it could have been brought” when it is “in the interest of justice.” 28 U.S.C. § 1406(a). See also *Schultz v. Ary*, 175 F. Supp. 2d 959, 965-66 (W.D. Mich. 2001); *Sadighi v. Daghhighfekr*, 36 F. Supp. 2d 267, 278 (D.S.C. 1999). The Court finds that proper venue lies in the Western District of Michigan, and that transferring the case to that district is in the interest of justice.

Accordingly, the Court **ORDERS** the Clerk of the Court to **TRANSFER** this case to the United States District Court for the Western District of Michigan pursuant to 28 U.S.C. § 1406(a).

IT IS ORDERED.

S/Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: March 6, 2018